

From: Smith, Torney
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 9:05pm
Subject: Microsoft Settlement

Torney Smith
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January 16, 2002

Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am in favor of the Microsoft antitrust case settlement. Protracted litigation is never in anyone's best interest. In this case in particular, the effects of the suit are far reaching. As the regional administrator for Spokane County's public health system, we are certainly reliant on the innovative products continually produced by Microsoft. Additionally, the high cost of litigation always seems to be borne by the consumer. Finalizing this lawsuit is certainly advantageous to everyone.

From all that I have read it appears to me that the settlement agreement is fair. In the interest of resolving this case, Microsoft has agreed to very broad restrictions. Some of these restrictions cover business practices that the Court did not even find to be unlawful.

I believe that it is appropriate for Microsoft to deal fairly in the marketplace, and I believe that they have. Anti trust laws applied in the technology industry need special consideration and interpretation to define fairness. In an effort to make it easier for the competition to compete with Microsoft's products, Microsoft will be making disclosures of Windows internal interfaces to the competition. They have also agreed to design Windows so that it is easier to remove features of the program and replace it with non-Windows software. In light of these sweeping affirmative obligations imposed on Microsoft, there really is no reason this agreement should not be approved.

I appreciate your review of these comments, as well as your efforts to work toward a settlement in this case. Thank you.

Sincerely,
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Torney Smith

